



**JUSTICE AND PUBLIC
SAFETY CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

REFERENCES:
505 KAR 1:110
2-CO-5D-01
3-JTS-5H-01-18; 5I-01-06
3-JCRF-5G-01-08; 5H-01, 03-05
1-JDTP-3D-25-27; 3E-08
1-JBC-5H-01-16; 5I-01, 03-05, 15
4-JCF-3A-07-20

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Family and Community Contacts:
Mail, Telephone, and Visitation**

POLICY NUMBER: DJJ 310

TOTAL PAGES: 6

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Family and community contacts shall be designed to promote positive relationships and facilitate communication between the youth, family, and community. Contacts shall be in keeping with the mission and security level of the program and in accordance with the youth's individual treatment plan (ITP).

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) operated and contracted day treatment program, group home, and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Mail shall be processed as follows:

1. In a YDC and group home:

- a. There shall be a weekly postage allowance of two (2) stamps per youth. This allowance shall not be transferable to another youth.
- b. When a youth bears the mailing cost, there shall not be a limit on the volume of letters a youth may send or receive.
- c. Mail shall not be held more than twenty-four (24) hours, and packages not more than forty-eight (48) hours, excluding weekends and holidays. In an emergency situation in which normal facility procedure, policy, or activity is disrupted due to riot, escape, fire, natural disaster, employee action, or other serious incident, mail shall

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be delivered according to schedule when normal procedure and activity is restored.

- d. A first class letter or package received for youth, who have been transferred or released, shall be forwarded to the address designated by the youth.
 - e. Youth may send and receive a sealed first class letter to and from court, counsel, and officials of DJJ or the Justice Cabinet and those individuals on their approved mail list:
 - i. Staff, in the presence of the youth, may inspect outgoing mail for contraband before it is sealed; and
 - ii. Mail received by the youth, from this specified class of persons and organizations, may be opened only to inspect for contraband and only in the presence of the youth, unless waived in writing, or in circumstances which may indicate contamination.
 - f. Mail with gang writing on the envelope or that has been received from incarcerated individuals at other facilities or correctional institutions, may be delivered, returned, or placed in the youth's secured possessions at the discretion of the Superintendent.
 - g. Procedures for the opening of mail, including packages, and inspection for contraband, shall be included in each program's Standard Operating Procedures (SOPs) and resident handbook. The mail procedures shall be made available to staff, youth, and their correspondents.
 - h. Notification that mail is subject to search and inspection shall be mailed to the youth's parent or caregiver within twenty-four (24) hours of admission. These procedures shall be reviewed annually and updated as needed, and shall include the following:
 - i. Determining restrictions and providing notice to staff of any restrictions on correspondence for each youth;
 - ii. Tracking the youth's use of the weekly postage allowance;
 - iii. Handling of cash, checks, or money orders removed from incoming mail;
 - i. The treatment team shall assess the appropriateness of publications received by youth on a case-by-case basis. Restrictions to access shall be directly related to the maintenance of facility order, treatment, or security;
 - j. The Superintendent or designee shall notify the youth when a mail restriction has occurred or a mail item has been returned. This notification shall be documented in the youth's electronic record; and
 - k. Each facility shall forward mail to youth who have been transferred or released.
2. In a day treatment program:

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- a. Mail received for a youth shall be forwarded to the youth's residence; and
 - b. Postage for personal mail shall not be provided to youth.
- B. Telephone use shall be provided as follows:
 - 1. In a YDC and group home:
 - a. Each youth shall be provided access to the telephone to make and receive personal calls, within the limits of the orderly operation of the facility, in order to maintain community and family ties and contact with attorneys.
 - b. Youth shall have access to reasonably priced telephone services with rates and charges commensurate with those charged to the general public for like services.
 - c. Youth, with hearing or speech disabilities, shall be afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
 - d. Each facility shall develop SOPs that detail hours and location for telephone access, by youth, and a method for determining and providing notice to staff of approved callers for each youth.
 - e. Procedures for access to the telephone may relate to the progress of the youth, as demonstrated by advancement through the level system, except calls to and from the youth's legal representative or juvenile service worker (JSW).
 - f. Youth shall be permitted phone contact with a parent or caregiver no less than once per week, unless the Superintendent determines there is a threat to the maintenance of facility order, treatment, or security.
 - g. Calls may be monitored, except those calls to and from the youth's legal representative.
 - h. Each facility shall have provisions for transmitting messages to youth.
 - 2. A day treatment program shall provide youth access to a telephone to initiate and receive emergency personal calls.
- C. Visitation shall be provided as follows:
 - 1. In a YDC and group home:
 - a. Each facility shall develop SOPs that detail:
 - i. Visitation hours;
 - ii. Location;
 - iii. Acceptable activities during visits;
 - iv. Screening for and control of contraband during visitation;
 - v. How visits outside normal hours are approved and conducted;
 - vi. Directions to the facility and information about local transportation;

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- vii. Facility phone number;
 - viii. Identification (ID) requirements for visitors including photo ID when possible;
 - ix. Special rules for children;
 - x. Authorized items that visitors may possess or give to the youth;
 - xi. Circumstances under which visitation can be canceled or rescheduled;
 - xii. Circumstances under which visitors are searched;
 - xiii. Circumstances under which visitors are supervised; and
 - xiv. Provisions for informal communication, including the opportunity for physical contact except in instances of substantiated documented security risks.
- b. Each youth shall have an approved visitors list as determined by the treatment team.
 - c. Each facility shall have visitors sign the visitor's log upon entry and exit.
 - d. Documentation shall be made in the youth's electronic record of all visitors.
 - e. Additional privileges, associated with visitation, shall relate to the progress of the youth as demonstrated by advancement through the level system.
 - f. Visitation information, to include the information in IV. C.1. a. i-xiv., shall be communicated to the youth and parent or caregiver within seventy-two (72) hours of admission.
 - g. Each secure program may retain ID as visitors sign in and shall develop security procedures consistent with this policy.
 - h. All visitors of youth shall be subject to search in accordance with DJJPP Chapter 3 Searches.
 - i. Each visitor shall be appropriately dressed. Lewd, revealing, gang affiliated, drug or alcohol affiliated, offensive clothing, or any apparel which conveys a message contrary to treatment goals shall not be worn.
 - j. Visitation suspension shall be approved by the Superintendent or designee. Temporary suspension of visitation may occur for a youth or visitor due to a facility disruption or to support treatment goals as follows:
 - i. For a visitor:
 - a) Upon suspension the visitor shall be notified of the suspension, in writing, within five (5) business days;

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- b) This temporary suspension of visitation shall be documented in writing, which shall include the conditions under which the suspension of visitation may be lifted; and
 - c) Documentation shall be included in the youth's hard case file and the electronic file, and notification provided to the suspended individual, the JSW, and Facilities Regional Administrator (FRA).
 - ii. For a youth:
 - a) This temporary suspension of visitation shall be documented in writing; and
 - b) The documentation shall be included in the hard case file and electronic file, and notification provided to the youth, parent or caregiver, JSW, and FRA.
 - iii. To support treatment goals:
 - a) The temporary suspension shall be recommended by the treatment team; and
 - b) Documentation shall be included in the youth's hard case file, in the electronic file, and notification to the parent or caregiver, JSW, and FRA.
- k. Each facility shall develop security and documentation procedures for exclusion of visitors.
- l. While visitation shall be encouraged, any visitor may be excluded from contact with youth and the program for the following reasons:
 - i. Involvement in the youth's offense;
 - ii. Posing a threat to the safety of the youth or the security of the facility;
 - iii. Refusal to follow facility rules or procedures, including search;
 - iv. Appearing intoxicated or under the influence of drugs; or
 - v. Facility documentation of a substantiated disruption during a previous visitation.
- m. Denial of visitation privileges shall be documented in writing. A copy of the denial and justification shall be sent to the excluded individual within five (5) workdays. A copy shall be included in the youth's hard case file, documentation included in the electronic file, and notification provided to the JSW and FRA.
- n. If available, teleconferencing or video conferencing may be coordinated by the youth's counselor with the JSW as a means for the parent or caregiver to contact youth.
- o. Group visits shall be provided as follows:
 - i. A group wishing to visit the program or a specific youth shall be required to have the advance approval of the Superintendent;

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- ii. A group not routinely involved in the program or known to the facility staff shall provide, in an advance, a written request for the visit to the Superintendent for approval;
 - iii. Such visits shall be limited to those groups who have a legitimate, beneficial purpose for the youth or program; and
 - iv. Each individual within a group shall be subject to the same policies and procedures established for individual visitation.
- p. An approved visitor shall have the responsibility for providing their own transportation for visits.
- 2. In a day treatment program:
 - a. Visitation shall be encouraged, and the program shall make provisions for assisting the parent or caregiver in visitation to the program.
 - b. Visitation shall be permitted for a parent, caregiver, or attorney during program hours, except where there is documented evidence that a visitor poses a threat to the safety of the youth or the security or disruption of the program.
- D. Youth shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member.
- E. Each facility shall develop SOPs for the documentation of incoming and outgoing mail, including packages, incoming and outgoing telephone calls, and visitation in the youth's ICR. When a youth is denied mail, telephone, or visitation, the reason shall be documented in the youth's ICR.
- F. Facility mail, telephone, and visitation SOPs shall be reviewed annually.

V. MONITORING MECHANISM

- A. The Quality Assurance (QA) Branch shall perform annual facility monitoring visits that review visitation, mail, and telephone documentation.
- B. Internal monitoring shall be completed by the Superintendent or designee, by reviewing case files to ensure that documents are completed according to policy requirements.
- C. The FRA shall monitor to ensure that programs are permitting family and community contacts according to policy.